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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,

Plaintiff,

v.

ONE HUNDRED FIFTY GRAMS OF BELUGA
STURGEON (*HUSO HUSO*) CAVIAR,

Defendant *in rem*.

Hon. Claire C. Cecchi, U.S.D.J.

Civil Action No. 18-11403

DEFAULT JUDGMENT AND
FINAL ORDER OF FORFEITURE

WHEREAS, on July 5, 2018, a Verified Complaint for Forfeiture was filed in the United States District Court for the District of New Jersey against 150 grams of beluga sturgeon (*Huso huso*) caviar (the “defendant property”) pursuant to 16 U.S.C. § 1540(e)(4), as property involved in a failure of claimant to obtain a proper threatened species permit in violation of 16 U.S.C. § 1538(a)(1)(G); pursuant to 16 U.S.C. § 1540(e)(4), as property involved in a failure of claimant to file a Wildlife Declaration for the defendant property, in violation of 16 U.S.C. § 1538(e); pursuant to 19 U.S.C. § 1595(c)(2)(A) as merchandise whose importation or entry is subject to restrictions and

prohibitions imposed by law relating to conservation and the merchandise is not in compliance with the applicable rule, regulation, or statute, in that the defendant property was imported and attempted import from Iran, in violation of the trade suspension that the United States placed on beluga sturgeon (*Huso huso*) caviar from Iran, pursuant to 50 C.F.R. § 17.44(y)(6), and 70 Fed. Reg. 576316; and pursuant to 19 U.S.C. § 1595a(c)(2)(B) as merchandise whose importation or entry requires a license, permit or other authorization of agency of the United States government, and the defendant property was accompanied by such license, permit or authorization; and

WHEREAS, pursuant to the Warrant for Arrest In Rem issued by the Clerk of the Court on July 6, 2018, the United States seized the defendant property; and

WHEREAS, on or about July 16, 2018, the Verified Complaint for Forfeiture and a Notice of Complaint for Forfeiture were sent via Federal Express and Email to Afagh Salimian c/o Bitak Bassiri. (See Declaration of Kathleen Robeson in Support of Default Judgment and Final Order of Forfeiture, Exhibit A.); and

WHEREAS, on or about July 17, 2018, the Verified Complaint for Forfeiture and a Notice of Complaint for Forfeiture were delivered to Afagh Salimian c/o Bitak Bassiri via Federal Express (*Id.*); and

WHEREAS, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Federal Rules of Civil Procedure, Notice of Civil Forfeiture was posted on an official internet


government forfeiture website, namely www.forfeiture.gov, for at least 30 consecutive days, beginning on July 15, 2018, notifying all third parties of their right to file a claim with the Court within 60 days from the first day of publication for a hearing to adjudicate the validity of their alleged legal interest in the property. Proof of publication was filed with the Court on September 14, 2018; and

WHEREAS, no conforming claim has been filed within the time required by Supplemental Rule G(5)(a) and 18 U.S.C. § 983(a)(4)(A) for the defendant property.

**NOW THEREFORE, IT IS HEREBY, ORDERED, ADJUDGED AND
DECREED AS FOLLOWS:**

A Default Judgment and a Final Order of Forfeiture is granted and is hereby entered against the defendant property, namely 150 grams of beluga sturgeon (*Huso huso*) caviar. The defendant property is hereby forfeited to the United States of America for disposition according to law, and no right, title or interest in the defendant property shall exist in any other party.

ORDERED this Tenth day of April, 2019.



HONORABLE CLAIRE C. CECCHI
United States District Judge